

SUBJECT: Jurisdiction of and jury composition in certain Gregg County courts

COMMITTEE: Judicial Affairs — favorable, without amendment

VOTE: 6 ayes — Thompson, Harnett, Capelo, Deshotel, Hinojosa, Uresti

1 nay — Talton

2 absent — Garcia, Solis

WITNESSES: None

BACKGROUND: Under Government Code, sec. 25.0942, a county court of law in Gregg County has concurrent jurisdiction with the district court only in family law cases and proceedings.

DIGEST: HB 3649 would authorize a county court of law in Gregg County to have concurrent with the district court, jurisdiction provided by the Constitution and general law for district courts, except that the county court would not have jurisdiction in capital felony cases.

A jury in a Gregg County court at law would have to include six members, unless the Constitution required 12 members. Failure to object before a six-member jury was seated and sworn in would waive a 12-member jury. The jury would have to include 12 members if requested by a party to the suit. In civil cases, the parties could agree, subject to the judge's consent, to try the case with any number of jurors and have a verdict rendered and returned by a less than unanimous vote of the jurors.

The bill would take effect September 1, 2003.

HB 3649
House Research Organization
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